

**\*\*\*AGENDA\*\*\***  
**CITY PLANNING COMMISSION**  
**J. MARTIN GRIESEL ROOM**  
**TWO CENTENNIAL PLAZA – SUITE 720**  
**805 CENTRAL AVENUE**

**February 20, 2015**  
**9:00 AM**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

**MINUTES**     Consider the minutes of January 16, 2015 (pages 2-13) and February 6, 2015 (pages 14-27).

**CONSENT ITEMS**

- ITEM 1**        A report and recommendation on the lease of Goose Alley to Cornerstone Corporation for Shared Equity in Over-the-Rhine. (Green/Lamorella) (pages 28-29)
- ITEM 2**        A report and recommendation on the Subdivision Improvement Plan for Grandin Road Subdivision in Hyde Park. (Weaver) (pages 30-32)
- ITEM 3**        A report and recommendation on a sale of a portion of Ebersole Avenue in Madisonville to abutting owners, Dowdell and Latressa Cobb (Taylor/Kumar) (pages 33-34)
- ITEM 4**        A report and recommendation on the sale of 1824-1828 Elm Street in Over-the-Rhine to Artichoke, LLC. (Taylor/Kerby) (pages 35-36)
- ITEM 5**        A report and recommendation on the sale of City-owned property located at 1610 Pleasant Street in Over-the-Rhine to TI PM, LLC. (Green/Weaver) (pages 37-38)

**DIRECTOR'S REPORT**

**ADJOURN**

## PROCEEDINGS OF THE CITY PLANNING COMMISSION

**January 16, 2015**

### **Regular Meeting**

A regular meeting of the City Planning Commission was held this day at 9 A.M. in the J. Martin Griesel Room of Two Centennial Plaza with the following members present: Vice Chair John Schneider, Mr. Scott Stiles, Mr. Ron Koetters, Mr. Rainer vom Hofe, Mr. Byron Stallworth, and Mr. Daniel Driehaus.

Also in attendance were Mr. Charles C. Graves, III, Director of the Department of City Planning and Buildings (DCPB), Mr. Marion Haynes, legal counsel, and City Planning staff: Ms. Rekha Kumar, Mr. Justin Lamorella, Mr. Lawrence Taylor, Ms. Jocelyn Gibson, Mr. Steven Briggs, Ms. Caroline Kellam, and Mr. Larry Harris.

Mr. Haynes swore in the New Commissioner, Mr. Daniel Driehaus.

Mr. Driehaus introduced himself, saying that he previously worked for Schiff, Kreidler-Shell before starting his own insurance agency in 2014. He said that his undergraduate major at Miami University was in Public Administration with a minor in Urban and Regional Planning.

Mr. Schneider explained the role of the Chair. He proposed a special committee to nominate a slate of officers. He said that Council Member Murray had agreed to chair the Committee, which would be comprised of four members as well as Mr. Graves. He suggested Mr. vom Hofe be on the Committee due to his length of term on the City Planning Commission.

Mr. Koetters said he would like to be on the Nominating Committee as well.

Mr. Haynes said that any group of quorum would need to meet in public.

Mr. Schneider asked if Mr. Stiles would like to join the Committee.

Mr. Stiles said that he would talk to City Manager Black about who would sit on the Committee.

Mr. Schneider explained that the Nominating Committee would be comprised of Council Member Murray, Mr. vom Hofe, Mr. Koetters, and the City Manager or Assistant City Manager.

#### **The Commission suspended its rules of Section 2B to not elect a Chair.**

Mr. Koetters made the motion, which Mr. vom Hofe seconded.

Aye: Mr. Stiles, Mr. Koetters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

Mr. Haynes stated that the Commission needed to name Mr. Schneider as the temporary chair.

Mr. Stallworth asked if this had happened before.

Mr. vom Hofe replied that Mr. Faux had been elected Chair since he had been on the Commission.

**The Commission suspended its rules of Section 2B and elected Mr. Schneider as the temporary Chair.**

Mr. vom Hofe made the motion, which Mr. Koetters seconded.

Aye: Mr. Stiles, Mr. Koetters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

Mr. Graves asked if they would have to advertise for a public meeting.

Mr. Haynes said they should notice in the City Bulletin and notice the usual distribution list.

Mr. Schneider suggested holding the Committee meeting at 8:30 AM before the February 6<sup>th</sup> Commission meeting.

The Commission was presented the December 5, 2014 minutes for approval.

**The Commission approved the December 5, 2014 minutes.**

Mr. Koetters made the motion, which Mr. vom Hofe seconded.

Aye: Mr. Stiles, Mr. Koetters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

Mr. Schneider asked for a motion to reorder the agenda to move Item 5 to the end of the agenda.

**The Commission moved Item 5 to the end of the agenda.**

Mr. Koetters made the motion, which Mr. Driehaus seconded.

Aye: Mr. Stiles, Mr. Koetters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

### **Consent Agenda**

Mr. Schneider said there were no speakers for items on the Consent Agenda.

He noted that on Item 3, the sale was to PDP1, LLC instead of what was listed on the staff report.

Item 1 was a report and recommendation on an easement across a portion of City-owned property at the southeast corner of Carr and Sargent Streets for the rerouting and replacement of gas mains in Queensgate. Staff recommended approval.

Item 2 was a report and recommendation on a proposed building permit for a wall sign and projecting sign located at 259 Calhoun Street and within the boundary of Interim Development Control (IDC) District No. 71, CUF Neighborhood Business District. Staff recommended approval.

Item 3 was a report and recommendation on a sale of a portion of Lawler Street abutting 540 Empress Avenue to PDP1, LLC in Columbia Tuscolum. Staff recommended approval.

**The Commission adopted staff's recommendations for the Consent Agenda.**

Mr. vom Hofe made the motion, which Mr. Koettters seconded.

Aye: Mr. Stiles, Mr. Koettters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

**Discussion Items**

Ms. Jocelyn Gibson, Planner, presented Item 4, a report and recommendation on a change of zoning from RMX (Residential-Mixed) and RM-1.2 (Residential Multi-family) to CN-P (Commercial Neighborhood-Pedestrian) for the following properties on Grand Avenue: 908-910, 912, 914, 916, 920, (two separate properties), 922, 924, 926, 934-940, 942, 954, and also 911 Chateau Avenue in East Price Hill. Staff recommended approval.

Mr. Bill Burwinkel, the applicant, explained the location of the property that he owned in the area and that he had made a substantial commitment to the neighborhood. He said he had approached the City about a potential CiTiRAMA. He said that he owned almost a two-acre site on Grand Avenue in the business district where he anticipated retail and apartments. Mr. Burwinkel said that while there were no specific plans, he had a strong vision and dream.

Mr. Stallworth asked for the total number of properties Mr. Burwinkel had redeveloped in that area.

Mr. Burwinkel said that he had been in that area of seven years and had developed Bloc Coffee and the flats, and that he had demolished a lot of structures due to their condition and consolidated empty sites.

Mr. vom Hofe said that he was in favor of the project and liked the plan for the site.

Mr. Stiles said that he had been following Mr. Burwinkel's work in East Price Hill and that he was appreciative of his work there.

**The Commission adopted staff's recommendations for Item 4.**

Mr. vom Hofe made the motion, which Mr. Driehaus seconded.

Aye: Mr. Stiles, Mr. Koettters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

Ms. Caroline Kellam, Senior Planner, presented Item 6, a report and recommendation on the designation of the Baldwin Building at 655 Eden Park Drive in Walnut Hills as a Local Historic Landmark. Staff recommended approval.

Mr. Schneider asked if there was any objection to allow the presenter five minutes to present, to which no one objected.

Mr. Fred Mitchell of Neyer Properties also presented.

Ms. Kellam noted that the designation was for 655 Eden Park Drive and it only included the part built in 1921.

Ms. Margo Warminski of the Cincinnati Preservation Association spoke in support of staff's recommendation. She said that its designation and rehabilitation would support the goals in Plan Cincinnati, prevent demolition, and allow the owners to use historic tax credits.

**The Commission adopted staff's recommendations for Item 6.**

Mr. vom Hofe made the motion, which Mr. Koettters seconded.

Aye: Mr. Stiles, Mr. Koettters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

Mr. Larry Harris, Urban Conservator, presented Item 7, a report and recommendation on the designation of the Union Central Life Building at 309 Vine Street in the CBD as a Local Historic Landmark. Staff recommended approval.

Mr. Koettters asked who the current owner of the building was.

Mr. Harris said that Village Green was the current owner. He said that they planned to develop the property into luxury apartments and retail.

Mr. Schneider said that Village Green also managed properties at the Banks.

Ms. Warminski spoke in support of staff's recommendations, citing the prominence of Garber and Woodward, one of Cincinnati's leading architecture firms of the early twentieth century. She also said that designating this building as historic was consistent with Plan Cincinnati.

**The Commission adopted staff's recommendations for Item 7.**

Mr. Koettters made the motion, which Mr. Stallworth seconded.

Aye: Mr. Stiles, Mr. Koettters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus, and Vice Chair Schneider

Mr. Schneider asked if the speaker for Item 2 would like to speak, to which he responded no.

**The Commission appointed Mr. Stallworth as the Chair.**

Mr. Stallworth made the motion, which Mr. Stiles seconded.

Aye: Mr. Stiles, Mr. Koettters, Mr. vom Hofe, Mr. Stallworth, Mr. Driehaus  
Abstained: Vice Chair Schneider

At this point, Mr. Schneider recused himself.

Mr. Haynes explained the legal proceedings that had occurred since the approval of the concept plan of Planned Development No.71. He said that the CUF Neighborhood Association and a

resident filed a lawsuit, alleging that the Commission had failed to make certain findings. He said that there was pending litigation scheduled for the end of January, 2015.

Mr. Haynes also explained the rules and time allotments for Item 5 since it was a quasi-judicial hearing according to Section 5, Subsection G.

Mr. vom Hofe asked if there was anything they should know regarding the lawsuit.

Mr. Haynes said that he would not provide legal advice but said that the lawsuit sought to invalidate the zoning by saying that the Commission had not made accurate findings. He said that the judge found that to be untrue but it was still scheduled for another hearing. He said that the City had filed a petition to dismiss the case and that it was pending in court.

Mr. Steven Briggs, Senior Planner, presented a report and recommendation on a Final Development Plan for Planned Development No. 71 (PD-71) at 165 West McMillan Street in CUF. Staff recommended approval.

Mr. Briggs explained that he had received a letter from Mr. Timothy Mara, attorney for Mr. Steve Batch, in objection to the placement of transformers, landscaping and fencing, and the rooftop deck. He said that as of that morning, those issues had been resolved and that there was a document before the Commission showing those changes. He referenced page C3-1, which showed that the transformer had been moved to the corner of Lyon and Clifton; additional landscaping was shown on the fourth page; and fencing and gates were provided on the side yard adjacent to 220 Lyon Street.

Mr. Stiles asked if the January 12<sup>th</sup> letter expressing concerns had been resolved, to which Mr. Briggs responded that they were resolved.

Mr. Koetters asked about the significance of the garage entrance.

Mr. Briggs explained that Lyon Street was narrow and that additional traffic would negatively impact the street and so the entrance and exit were placed onto Clifton, a major thoroughfare.

At this point Mr. Haynes swore in all attendees providing testimony on that day.

Mr. Michael Apt, Director of Development for the Gilbane Company, introduced his team of Mr. Russ Broderick, Vice President; Mr. Sean Callan, Counsel with Manley Burke; Mr. Mike Dooley, Engineer; and Mr. Dan Garthe, Architect. He said that they had started planning the project two years ago and had worked with the neighbors including Mr. Steve Batch and Mr. Dan Schimberg. He explained how the project had originally been eight stories tall but was now six and detailed all the other changes made from neighborhood input. He said that through the process, they had gained approval of the Clifton Urban Redevelopment Corporation, Clifton Heights Business Association, and Mr. Schimberg. Mr. Apt then explained the requirements of a final development plan in Section 1429 of the Cincinnati Zoning Code (CZC) and how the proposed plan met those requirements.

Mr. Callan said that there were no other witnesses but had technical witnesses if needed.

Mr. Driehaus asked to hear a reading of Section 1429-13, Item J of the CZC pertaining to the future ownership in control of the property and asked whether the plan satisfied that section.

Mr. Haynes said that the applicant could read that section and that the Commission could decide whether the plan satisfied that section.

Mr. Apt read Section 1429-13, Item J of the CZC, which stated, "Statement on the present and future ownership and control of the development delineating responsibilities of maintenance and upkeep of the buildings, streets, drives, parking areas, utilities, common areas and common facilities."

Mr. Stiles asked if there would be parking available to the public.

Mr. Apt said that the parking was for the building tenants and not for public use.

Mr. Timothy Mara, attorney for Mr. Steve Batch, said that his client was originally opposed to the Zone Change in October but since had accepted it. He explained that Mr. Batch had sent a letter with issues and that since that letter was sent, there had been further negotiations with Gilbane and all three issues had been resolved. Mr. Mara withdrew the official complaint.

Mr. Russell Broder, in support of the project on behalf of the Gilbane team, yielded his time.

Mr. Steve Batch yielded his time to Mr. Mara.

Mr. Chris Finney was the attorney there on behalf of the opposition.

Mr. Haynes told the counsel for opposition that he had the opportunity to cross-examine. However, Mr. Finney did not cross-examine.

Ms. Linda Ziegler, Treasurer of the CUF Neighborhood Association and 40-year resident of Clifton Heights, said that the development had a huge imprint and that it was an on-campus concept off-campus that went against the Neighborhood Plan. She said that the process had not been transparent and that they would have liked to have been included from the beginning. She said that the changes made on the morning of Commission meeting was the first she had heard of them. Ms. Ziegler also commented that the rooftop deck sounded like a bad idea as it would provide residents the opportunity to throw objects onto the street below.

Mr. Finney asked Ms. Ziegler how long she had lived in the neighborhood and how had it changed.

Mr. Callan objected, saying that the issue was whether the Final Development Plan was consistent with the concept plan.

Mr. Haynes said that Mr. Callan could address his concerns in cross examination.

Ms. Ziegler answered that when she first moved to the neighborhood in the 1970s, it was mostly homeowners and families. She said that now it was almost all student rentals and that an additional 500 students on the corner of McMillan and Clifton would not be conducive to the neighborhood.

Mr. Finney asked how the neighborhood had changed as more students had moved in.

Ms. Ziegler said that the area was a slum, students did not care about upkeep, and that given the choice, she would not move to the area again.

Mr. Finney asked about the area south of McMillan on nights and weekends.

Ms. Ziegler responded that there were lots of large parties that lasted late into the night.

Mr. Finney asked if Ms. Ziegler knew about the rooftop deck.

Ms. Ziegler said that she had been to meetings about the project for two years and had never heard mention of a rooftop deck.

Mr. Finney asked her if the rooftop deck would be negative.

Ms. Ziegler said that many houses in the area had decks and students would throw beer bottles from them.

Mr. Finney asked if there would be unsafe activities on top of a rooftop deck.

Mrs. Ziegler responded there would be.

Mr. Finney asked about the parking issues, particularly the stacked parking in this project.

Ms. Ziegler said that each parking spot would need to be rented separately and that parking would be stacked so there would be people in a row who would not be able to get out. She asked how stacked parking would work with unrelated people.

Mr. Finney asked how the project would affect residential parking in the area.

Ms. Ziegler said there would be no available spots on-street for residents who lived there.

Mr. Finney asked where Ms. Ziegler resided.

Ms. Ziegler responded that she lived near the former Deaconness Hospital.

Mr. Finney asked how parking impacted her.

Ms. Ziegler said that there was nowhere to park on the street during the day.



Mr. Finney asked how the situation affected her property.

Ms. Ziegler said that when the neighborhood was built, there was one car per house, but now there were five cars per household if there were five students in a house.

Ms. Sandra Wilson, a CUF resident, spoke in opposition to the project, saying that the proposed project would not be proportional to the two-story building across the street and the one-story Chicago Gyro's building. She said that the townhouses on Lyon Street did not have setbacks or look like the other houses on the street. She said that the proposed green space was insufficient according to current zoning. Ms. Wilson also asked how tandem parking would work and where the accessible spaces would be located. She said that no one had shared the traffic study with them. She also said that a Planned Development required two acres even though this development was less than two acres. She said that the Department of City Planning and Buildings should tell the Commission what was required. She asked about the health regulations regarding the on-site transformer. Ms. Wilson also commented that the proposed project was ugly.

Mr. vom Hofe asked if the rooftop deck was in the concept plan.

Mr. Briggs said that it was part of the Concept Plan.

Mr. Stallworth asked about the transformer and its distance from the sidewalk.

Mr. Briggs said that it involved Duke Energy and the transformer's relationship to the building.

Mr. Stallworth asked if there would be accessible parking.

Mr. Briggs said that they followed the Building Code requirements and that they were illustrated in the plan.

Mr. Finney asked for a copy of the parking study.

Mr. Briggs said that he could provide the study.

Mr. Callan cross-examined Ms. Ziegler and asked if she attended the public hearing at the City Planning Commission.

Ms. Ziegler said that she had attended every meeting, including the October 17<sup>th</sup> City Planning Commission meeting except for one earlier in January.

Mr. Callan asked if she had reviewed the Concept Plan in detail that was submitted at the time of the October meeting, to which Ms. Ziegler responded that she had.

Mr. Callan asked if she had attended the City Council meeting on the Concept Plan, given testimony at that meeting, and reviewed the concept plan, to which Ms. Ziegler said that she had.

Mr. Callan asked if she had reviewed the Final Development Plan, to which Ms. Ziegler said that she had though she had not seen drawings.

Mr. Callan asked if she had seen any substantial changes, to which Ms. Ziegler responded that she had not seen anything related to the rooftop deck or transformers.

Mr. Finney objected that Mr. Callan was reframing the question to be about the Batch changes.

Ms. Ziegler said that in the latest version, the number of stories changed between six, five, and four stories.

Mr. Callan asked if she reviewed the Concept Plan submitted to City Council.

Mr. Haynes asked Mr. Briggs to confirm that it was the Concept Plan submitted to City Council, which he confirmed.

Mr. Haynes explained that the Concept Plan was not an exhibit but the law.

Mr. Callan asked Ms. Ziegler to look at the fifth floor plan, to which Ms. Ziegler said she had never seen that rendering before.

Mr. Callan asked if she had attended the City Council Committee meeting, to which Ms. Ziegler responded that she had.

Mr. Callan then cross-examined Ms. Wilson and asked if she had attended the October City Planning Commission and November City Council meetings, to which she responded yes to all.

Mr. Daniel Garthe, the Civil Engineer on the project, said he was there to answer any questions.

Mr. Steven Ossenbeck, property owner at Moerlien, Lyon, and Straight Streets, spoke in support of the Final Development Plan and hoped to develop his properties similarly in the near future. He said he wanted higher, better development and that contrary to the evidence of other speakers, all property on Lyon Street had been multi-family for 50 years.

Mr. Finney did not wish to cross-examine witnesses.

Mr. Mike Dooley, an engineer with Bayer Becker, spoke about the transformers. He said that the transformer would meet Duke Energy's standards. He explained there would be two transformers moved to Clifton and Lyon Street. He said the transformers would meet Duke's standards for clearance from the building, the travel lane, screening and landscaping.

Mr. Finney asked if there was a health issue associated with transformers.

Mr. Dooley said that all of their projects had transformers on site.

Mr. Stallworth asked if many developments wanted their power underground.

Mr. Dooley said there were existing overhead power lines on Lyon and the lines would go from the pole to the transformer and into the building.

Mr. Stallworth asked if that was standard or a new technique.

Mr. Briggs said that it was a standard technique in developments.

Mr. Dooley said they would provide screening around the transformer with landscaping.

Mr. Apt said they had been working on this project for two years and have had seven meetings with the CUF Neighborhood Association, including separate meetings with Ms. Ziegler and Ms. Walpe. He said that they tried to incorporate the neighborhood's concerns into their designs. He said that the project would be professionally managed with full-time management, full-time staff living in the building, and maintenance staff. He said that the roof terrace would be part of the building but located on the interior portion of the roof, with screening and locked access.

Mr. Stallworth asked if there would be a maximum number of people allowed on the roof deck.

Mr. Apt said there would be a maximum occupancy on the roof in accordance with the Building Code.

Mr. vom Hofe asked about the location of the roof deck.

Mr. Apt showed the deck on the southwest corner of the building and said it would provide sunshine for the tenants.

Mr. Apt spoke about parking and said that it was in compliance with the CZC and ADA (Americans with Disabilities Act) parking regulations. He said that the tandem parking was minimal and would be shared by residents of a unit. He said that the idea for tandem parking was common and was from Mr. Schimberg who used it in many of his apartment complexes.

Mr. Apt said that the townhomes were designed with care and showed the setback from the street with landscaping. He said they wanted to provide landscaping and greenery even if it was not required to be a good neighbor.

Mr. Driehaus said that the intention of the parking was to ensure that it was onsite and not overflowing onto the street and asked about Gilbane's history of tethering parking to units.

Mr. Apt responded that they would provide 80 percent of residents with a parking space, so if the lease was tied to a space, those students without a car would be forced to pay an increased rent.

Mr. Broderick said that they learned a lot about Cincinnati with this project, in that Cincinnatians were more auto-dependent. He said that Gilbane believed in a more pedestrian-oriented development where people would have fewer cars, especially since millennials were moving

away from auto-dependency. He said that originally, they proposed a 50 percent parking ratio but raised it to 80 percent. He said that tying a lease to a parking spot was an inconvenience to those who did not wish to have a car. Mr. Broderick mentioned a project in Richmond, Virginia where they provided 50 percent parking and they had not leased all of those spaces because neither the students nor their parents wanted them to have cars at school.

Mr. Stiles said that he was generally supportive but that he had concerns about parking. He mentioned a similar development on Jefferson where residents were parking on the streets instead of the building. He asked if they anticipated the garage would be half empty.

Mr. Apt said that the garage in the Richmond example was less full than planned and so they opened it to the public. He said that the community has told them that would not be the case in Cincinnati. He said parking was already strained because street parking was first come, first serve. He also said that many houses in the community did not have driveways and they too had to find a spot on the street.

Mr. Broderick added that they have 4,000 residents in their portfolio similar to this development and that they usually would pre-lease 75 percent of their parking. He said that usually in the first few weeks of school, the rest of the parking was leased once the students realized they needed or wanted a parking space in the building.

Mr. Stallworth asked if they would sell parking passes on University of Cincinnati game days.

Mr. Broderick said they were not planning to do that.

Mr. Haynes referenced Section 1429-15, D that required the owner to provide a covenant indicating that its open space, parking, walks, and drives would only be used for the purposes of the Planned Development and also that common areas would remain in common ownership. He said that if approved, the owner would need to provide that legal document to the Solicitor's Office.

Both parties waved their five minutes allotted for closing remarks.

**The Commission moved to enter closed deliberation.**

Mr. vom Hofe made the motion, which Mr. Driehaus seconded.

Aye: Mr. Stiles, Mr. Koetters, Mr. vom Hofe, Mr. Stallworth, and Mr. Driehaus

The Commissioners returned from private deliberation at 12:07 pm. At this point in the meeting, Mr. Koetters left.

**The Commission adopted staff's recommendations for Item 5, with the amendment for a covenant that the rooftop patio be closed from 11:00 pm to 7:00 am.**

Mr. vom Hofe made the motion, which Mr. Stallworth seconded.

Aye: Mr. Stiles, Mr. vom Hofe, Mr. Stallworth, and Mr. Driehaus

### **Director's Report**

Mr. Graves introduced the Department's new interns, Christopher Green of the University of Cincinnati and Lawrence Taylor II, graduate of Alabama A&M University. He announced that Dan Schimberg would present his project in Mt. Auburn at the February 6<sup>th</sup> CPC meeting.

Mr. Stiles said that he had suggested to Mr. Schimberg that he should come and present.

Mr. Graves said that with several new Commissioners, they should talk about policies and procedures and have a half-day retreat. He asked if any days worked better for them.

Mr. Stallworth and Mr. vom Hofe both said that Fridays worked well for them.

Mr. Graves announced the David Allor Planning and Zoning Workshop on January 30, 2015.

Mr. Stallworth asked for clarification for the time of the Nominating Committee meeting.

Mr. Graves responded that it would start at 8:30 am in his office, which Mr. Haynes clarified would need to be in the public meeting room.

Mr. Stallworth asked if anyone could be on the Committee, to which Mr. Haynes responded that the Chair would allow the other Commissioners to sit in on the meeting.

The meeting adjourned.

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Charles C. Graves, III, Director  
Department of City Planning and Buildings

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John Schneider, Vice Chair  
City Planning Commission

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## **PROCEEDINGS OF THE CITY PLANNING COMMISSION**

**February 6, 2015**

### **Special Nominating Committee Meeting**

A special nominating committee meeting of the City Planning Commission was held this day at 8:30 A.M. in the J. Martin Griesel Room of Two Centennial Plaza with the following members present: Committee Chair Amy Murray, Mr. Rainer vom Hofe, Mr. Byron Stallworth, and Mr. Bill Moller.

Also in attendance were Mr. Charles Graves, III, Director of the Department of City Planning and Buildings (DCPB), Interim Chair John Schneider, Mr. Daniel Driehaus, Mr. Marion Haynes, legal counsel, and City Planning staff: Ms. Ann Marie Kerby.

Interim Chair Schneider appointed Mr. Stallworth to take Mr. Ron Koettters' place on the nominating committee as he was absent.

Committee Chair Murray discussed that the purpose of the nominating committee of the Commission was to recommend a Chair and Vice Chair for the Commission. She indicated that she spoke to all the members of the Commission prior to the meeting to see if anyone was interested in the elected positions.

Committee Chair Murray elaborated that Mr. Driehaus had told her that was interested in being the Chair of the Commission. Mr. Schneider had told her that he would be interested in serving the Commission in any capacity. Ms. Murray stated that if everyone was satisfied with that combination then they could recommend Mr. Driehaus for Chair and Mr. Schneider as Vice Chair.

Mr. Moller asked what the purview of the committee was and whether or not the committee votes. Mr. Haynes answered that there are no detailed rules for types of actions that the committee should take. He made clear that whatever action the committee takes cannot be binding on Planning Commission. Mr. Haynes suggested that they could put a motion on the floor to recommend Vice Chair and Chair to the full commission and then the Chair of the Committee would present those recommendations to Planning Commission.

Mr. vom Hofe asked if they were supposed to discuss the suggested Chair and Vice Chair recommendations.

Mr. Haynes replied that they can open up the floor to open discussion to do that.

Committee Chair Murray opened the floor for discussion.

Mr. vom Hofe stated that they vote on a Chair every year and it's not something that is permanent and it is up for reelection every year. However, he indicated that he didn't know Mr.

Driehaus very well and at this point would only support Mr. Schneider for Chair as he has had plenty of Planning Commission experience.

Mr. Graves asked Mr. Driehaus to explain his background and experience to the committee.

Mr. Driehaus explained that he was the President of the Pleasant Ridge Community Council and was a member of the Community Council before that. He indicated that Caleb Faux is a friend of his and respects the trust that was instilled upon him as Chair of Planning Commission. Mr. Driehaus stated that Planning Commission is an important vehicle for neighbors to be heard from and is a vetting process for projects. Mr. Driehaus also elaborated that he owns an Insurance Agency, but he has a degree in Public Administration and a minor in Urban Planning and has also been on numerous non-profit boards.

Mr. Moller asked for Committee Chair Murray to put the motion forward.

**The Committee recommended that Mr. Driehaus become Chair and Mr. Schneider become Vice Chair of City Planning Commission.**

Mr. Stallworth made the motion, which Mr. Moller seconded.

Aye: Committee Chair Murray, Mr. vom Hofe, Mr. Moller and Mr. Stallworth.

The special nominating meeting adjourned at 8:48 A.M.

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Charles C. Graves, III, Director  
Department of City Planning and Buildings

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Amy Murray, Chair  
Nominating Committee, City Planning Commission

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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Also in attendance were Mr. Charles Graves, III, Director of the Department of City Planning and Buildings (DCPB), Mr. Marion Haynes, legal counsel, and City Planning staff: Mr. Steve Briggs, Mr. James Weaver, Ms. Ann Marie Kerby, Ms. Jocelyn Gibson, Mr. Christopher Green, and Mr. Lawrence Taylor II.

Vice Chair Schneider called the meeting to order and indicated that the appointed special nominating committee had just met before this meeting.

Ms. Murray, who was the special nominating committee chair, talked about the brief discussion that the committee had and that the committee recommended Mr. Driehaus as Chair and Mr. Schneider as Vice Chair.

#### **The Commission elected Mr. Driehaus as Chair and Mr. Schneider as Vice Chair.**

Ms. Murray made the motion, which Mr. vom Hofe seconded.

Aye: Mr. Moller, Mr. vom Hofe, Ms. Murray, Mr. Stallworth, Mr. Driehaus and Mr. Schneider.

Chair Driehaus asked the presenters to come forward to talk about their project “Renaissance in Mt. Auburn”.

Mr. Dan Schimberg from Uptown Properties, Mr. Steve Schuckman from the Cincinnati Park Board, and Ms. Deborah Hayes from Christ Hospital, made the presentation on “Renaissance in Mt. Auburn”. Mr. Schimberg stated that the project would consist of historic rehabilitation and park renovation. He expects that they will come back in front of Planning Commission with ongoing updates on the project. Mr. Schimberg elaborated that this project is in a unique geographic location that connects uptown and downtown with Mt. Auburn. The land has been assembled next to Inwood Park and there would be streetscape and infrastructure improvements that coincide with the housing and park project. Mr. Schimberg indicated that this project has the support of the Community Council, Chamber, Uptown Consortium, and City Councils members. In addition to the park, street and housing improvements, there is a medical office building proposed on the corner of Mt. Auburn and McMillian Avenues that will help revitalize the area.

Mr. Schuckman explained that there is great potential in Inwood Park. In 2007, there was a Master Plan for Inwood Park, but because no funding was available, the vision in that plan never came to fruition. Some improvements to the park include enhanced streetscape along Vine



Street, water features, garden terraces and a dog park. Mr. Schuckmen also talked about the existing blighted conditions of the park and the need for improvements to occur.

Mr. Schimberg spoke more specifically about the plans for housing adjacent to Inwood Park. The first part of the plan includes rehabilitation of the 2301 Auburn Avenue apartment building in the summer of 2016. There are also plans to tear down vacant buildings adjacent to Inwood Park to build market rate housing where the architectural design reflects the surrounding historic district. This would provide housing for approximately 400 people and the plan is for the project to be LEED certified.

Ms. Hayes spoke about Christ Hospital's commitment to the City and to the Mt. Auburn neighborhood. There are thousands of people that come to the neighborhood to go to the hospital. It is apparent that they need more parking along Auburn Avenue, new sidewalks, as well as lighting and plantings for safety. Christ Hospital has recently made significant improvements to the campus and understands the importance of revitalizing the neighborhood and its connection to the hospital.

Discussion ensued among Planning Commission and presenters. Ms. Murray asked how the park would be paid for and Mr. Schimberg replied that there have been preliminary discussions with the City. Mr. Schuckman stated that the park will require \$5 to \$9 million dollars of investment from the City which includes housing sites and streetscaping. Mr. Moller asked if the budget request can occur over a couple of years or can it be phased over a longer period of time. Mr. Schimberg replied that the project goal date is to be delivered by summer of 2017 and it is necessary that the park be renovated before the housing is completed. Mr. Schneider added that the streetcar will open next September and that transit is a good solution to solve parking and traffic problems. He suggested that they look to find a way to get the streetcar up that way or some sort of transit to be part of their overall plan. Mr. Graves suggested that they also work with the community who is creating a neighborhood plan to ensure consistency with that.

### **Consent Agenda**

Mr. Driehaus requested that Items 2 and 5 be moved to discussion to allow for the City Planning interns to get presentation experience per request of Mr. Graves.

Mr. Stallworth left the room.

**The Commission moved Items 2 and 5 to the Discussion Agenda.**

Mr. Schneider made the motion, which Mr. Moller seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Schneider and Mr. Driehaus.

Item 1 was a report and recommendation on a proposed building permit for the replacement of two pole signs located at 205 Calhoun Street and within the boundary of Interim Development Control (IDC) District No. 71, CUF Neighborhood Business District. Staff recommended approval.

Item 3 was a report and recommendation on a Dedication Plat to allow for the widening of the north side of Glenway Avenue west of Gilsey Avenue and east of Dewey Avenue in West Price Hill. Staff recommended approval.

Item 4 was a report and recommendation on the proposed narrowing of Brown Street in the East End neighborhood via the sale of certain portions of the east and west sides of the street, between Riverside Drive and Babb Alley, to Schmidt Landing, LLC. Staff recommended approval.

Item 6 was a report and recommendation on a vacation of a portion of Summer Street, a Dedication Plat to allow for a cul-de-sac at the end of Summer Street and an easement for utility poles on South Street as it relates to the redevelopment of MetroWest Commerce Park in Lower Price Hill. Staff recommended approval.

Item 7 was a report and recommendation for a long term lease of five City-owned parcels in Avondale to The Community Builders (TCB) with an option to purchase. Staff recommended approval.

**The Commission adopted staff's recommendations for the Consent Agenda.**

Mr. vom Hofe made the motion, which Mr. Moller seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Schneider and Mr. Driehaus.

Mr. Stallworth returned to the room.

**Discussion Items**

Mr. Taylor II, Intern, presented Item 2, a report and recommendation on a sale of City owned properties on Budmar Avenue, Hamilton Avenue and Marlow Avenue in College Hill to College Hill Community Urban Redevelopment Corporation (CHCURC). Staff recommended approval.

Mr. Mike Cappel from CHCURC explained that they have been acquiring these parcels since 2009. All of these properties are blighted and vacant. The sale will allow them to attract new market rate investment in the business district.

Mr. Stallworth asked how crime has been. Mr. Cappel replied that it has drastically decreased in the last decade.

Ms. Murray asked who will be paying for the demolition. Mr. Cappel replied that part of the funding is from the City.

Mr. Moller asked what the timeline is for the project. Mr. Cappel responded that they will know by June, 2015 whether or not they are awarded tax credits. They expect the project to take approximately 2 years.

**The Commission adopted staff's recommendations for Item 2.**

Mr. vom Hofe made the motion, which Mr. Stallworth seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Stallworth, Mr. Schneider and Mr.

Driehaus.

Mr. Green, Intern, presented Item 5, a report and recommendation on the demolition of four existing structures at 1701 Dana Avenue, 1745 Dana Avenue, and 3665 Clarion Avenue within the boundary of the Interim Development Control Overlay District No. 75 Evanston Kings Village District in Evanston. Staff recommended approval.

Mr. Moller asked what the car wash property will become. Ms. Blume replied that it will be greenspace instead of a parking lot.

**The Commission adopted staff's recommendations for Item 5.**

Mr. vom Hofe made the motion, which Mr. Moller seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Stallworth, Mr. Schneider and Mr. Driehaus.

Mr. Weaver, City Planner, presented Item 8, a report and recommendation on a proposed change in zoning at 3633-36-39 Montgomery Road from CN-M (Commercial Neighborhood – Mixed Use) to CC-A (Community Commercial-Auto Oriented) and 1759-1761 Dana Avenue from CC-M (Community Commercial – Mixed Use) to CC-A in Evanston. Staff recommended approval.

Mr. Driehaus mentioned that Planning Commission had received two letters of support for this zone change from Xavier University and Evanston Community Council.

Mr. Schneider explained that he had asked staff to calculate the horizontal distances between the edge of the canopy to the property line to the south. He noted that he had concerns related to noise and lighting which could be potential issues for the residential property to the south.

Mr. Tim Kling, a representative of United Dairy Farmers, said that is a 24/7 operation. He asked Mr. John Johnson, the architect on the project, to explain the site plan. Mr. Johnson said that the lighting is LED and the fixtures will be down lit. The development footprint will eliminate most of the glare. Mr. Johnson elaborated that they will ensure that there is no transfer of light onto adjacent properties.

Mr. vom Hofe asked how they decided that 12 spaces for gas pumps were the correct amount. He noted that according to the site plan if you were to drive in you would have to take 2 turns.

Mr. Johnson replied that they are working with the Department of Transportation and Engineering (DOT) to confirm curb cuts. He noted that the 12 spaces are a sufficient amount for vehicles and this lessens the congestion on site. They analyze each UDF site in depth. He also mentions that there are no immediate areas in the surrounding neighborhood to get gas so this will be an amenity to the community.

Ms. Anzora Adkins, President of Evanston Community Council, noted their support for the project.

**The Commission adopted staff's recommendations for Item 8.**

Mr. vom Hofe made the motion, which Mr. Moller seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Stallworth, Mr. Schneider and Mr. DrieHaus.

Mr. Briggs, Senior City Planner, presented Item 9, a report and recommendation on the Final Development Plan for Pet Supplies Plus Retail Building west of Kroger Marketplace Oakley Station, Phase 1F Planned Development (PD-64) in Oakley. Staff recommended approval.

Mr. vom Hofe asked if this is a new Pets Supplies Plus store or if they are just relocating from nearby.

Mr. Steve Dragon, from USS Realty, responded that the store is a new location.

Ms. Murray asked if they were targeting any new restaurants at Oakley Station.

Mr. Dragon replied that they are talking to a number of different restaurant tenants for building number 9 on the site.

**The Commission adopted staff's recommendations for Item 9.**

Mr. Moller made the motion, which Mr. Schneider seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Stallworth, Mr. Schneider and Mr. DrieHaus.

Mr. Briggs presented Item 10, a report and recommendation on a change in zoning from Residential Mixed District (RMX) and Commercial Community Mixed District (CC-M) to Planned Development (PD) at 3001, 3003, 3005, 301, 3015, 3019, 3023, & 3025 Woodburn Avenue and 1520, 1524, 1526, & 1530 Lincoln Avenue, and 1521, & 1523 Gilpin Avenue in Evanston. Staff recommended acceptance of the concept plan and development program statement and approval of the change of zoning.

Mr. vom Hofe asked if all the parking noted on the site plan is necessary.

Mr. Briggs responded that the Zoning Code requires 1 space per dwelling unit. The applicant is currently providing 1.5 parking spaces per unit.

Mr. Matthew Olliges, representing Towne Development Group, stated that they have an abundance of parking and that the parking is first come first served. He added that one of the reasons they had more parking was that they were attempting to acquire additional properties to add more units which may not happen.

Mr. Schneider asked how close the house is to the egress drive to which Mr. Olliges responded that he wasn't sure.

Mr. Schneider stated that parking could be a nuisance if people are leaving late from the parking lot. He asked the applicant if they could make the driveway simply a drive and not provide

parking at that location.

Mr. Olliges replied that it is possible to take away those parking spots as there is already an abundance of parking on the rest of the site.

Mr. Schneider added that he would like to see a landscape buffer installed at the drive as well. Mr. vom Hofe supported this idea.

Mr. Driehaus asked the applicant to elaborate on the efforts and motivation on why they added more parking.

Mr. Olliges responded that there is a church at 1515 Lincoln Avenue who was using the CCA parking lot during their peak hours. The church requested that they help them find parking now that this lot will be developed on. The applicant stated that they made attempts to work with the church and offered to make a donation to help cover costs if the church chose to build their own parking lot. Mr. Olliges said correspondence has stopped there.

Mr. Schneider asked how wide the panhandle lot is at 1523 Gilpin Avenue.

Mr. Olliges replied that it is 50 feet on the concept plan.

Mr. Moller asked what the recommended width for lanes in and out of the driveway would be if it was just a driveway with no parking.

Mr. Briggs responded that a single drive is typically 12 feet in width and a two-lane driveway would be 18 feet.

Mr. Graves reminded the Planning Commission that if the applicant acquires the properties in the middle that that would be significant change in the concept plan and would have to come back to Planning Commission for approval.

Mr. Olliges responded that Mr. Briggs has made that clear and at this point it is doubtful that they will be able to acquire those additional properties for housing.

Mr. Matt Shad and Mr. Edwin Pertz, President and Vice President of the East Walnut Hills Assembly, indicated that they voted Wednesday at the Full Assembly for approval of the concept plan. They stated that they did a detailed analysis of the project and that the developer has been amicable to suggestions that they have.

Reverend Jonathon Brown, the pastor of Pilgrim Baptist Church at 1515 Lincoln Avenue, stated that he had concerns about parking at the proposed location of the project. He established that the church has had long relationship with the previous owner of one of the properties were they were able to use the parking lot for many years. They are concerned that the congregation numbers of the church will diminish if that parking is taken away. Reverend Brown indicated that they had presented several proposals to the applicant and proposed that the church could use some of that parking for Wednesday evening and Sunday morning services with no favorable responses from

the applicant.

Mr. Schneider asked for Reverend Brown to point out where the parishioners of the church park now.

Reverend Brown pointed out that parishioners park on the corner of Lincoln and Woodburn Avenues. He also said that they park on the street as well. However, there is a sign on Lincoln Avenue that states you can't park there from 6 A.M. to 6 P.M. on Sunday.

Mr. Schneider asked why that sign was in place. Mr. Moller responded that the City Administration could find that out. Mr. Schneider asked if part of the recommendation could be to direct DOTE to look at the prohibition of on-street parking to help resolve the problem.

Mr. Haynes advised that the Commission should keep these items separate. He added that in making a recommendation, the Planning Commission is making a legislative recommendation so it would be contingent upon that finding. The item is about zoning so some of these details may be better to work out at the Final Development Plan phase. He indicated that Planning Commission could request that the applicant and church work these issues out before the Final Development Plan comes back to Planning Commission.

Mr. Mike Ealy, Treasurer of Pilgrim Baptist Church, indicated his objection to the project. He stated that the project is in Evanston and they have not heard from the community and normally you would receive a letter of support from the community at this point.

Mr. Stallworth asked what the hours are for Sunday worship.

Reverend Brown replied that there are either services or events at 9:20 A.M. and 10:45 A.M. on Sundays and they are usually done by 1 or 2 P.M. Some Sundays have a second service. He pointed out that as they continue to grow the hours would be extended. There are also a couple of days during the week where they have bible study.

Mr. Stallworth asked if they are there on evenings on Sundays.

Reverend Brown responded that they are sometimes there on evenings on Sundays and get out by 9 P.M.

Ms. Murray asked who owns the property to the west of the church.

Mr. Ealy responded that the church owns the lot and that they had the zoning changed for that parcel.

Ms. Murray asked if anyone currently parks on the lot.

Mr. Ealy replied that sometimes there are cars there.

Ms. Murray asked how many spaces could be on the lot.

Mr. Ealy answered that there could be approximately 32 spaces on site.

Ms. Murray asked why it hasn't been developed yet as a parking lot.

Reverend Brown answered that they had access to the other parking lot on the corner of Walnut and Lincoln Avenues and they were a smaller church at the time, but now they are growing and have seen more parking demand.

Mr. Moller asked how many parking spaces are usually used for service.

Mr. Ealy responded that by the Zoning Code there are 34 spaces required, but they use more than that.

Ms. Vickie Flynn added that she is member of Pilgrim Baptist Church and reaffirms what Mr. Ealy has stated.

Ms. Anzora Adkins, President of Evanston Community Council, indicated that she has a letter of support from Evanston Community Council for support for this development. She indicated her major concern was the cooperation between the applicant and the church. They did not vote to accept the plan at their last meeting in January. They have asked the applicant to come back in February to show a plan with cooperation with the church.

Mr. Driehaus stated that the motion today will be specifically about the zoning of this project. He asked if anyone would like to make a motion.

Mr. Schneider asked if the Planning Commission is in discussion yet.

Mr. Driehaus responded that they are not yet, but once a motion, and a second is made then there is opportunity for amendments to the motion.

Ms. Murray made a motion and Mr. vom Hofe seconded the motion to approve staff's recommendations.

Mr. Driehaus asked if there are any comments or amendments to the motion.

Ms. Murray stated that they are voting on a zoning issue right now and not a neighborhood dispute. She also pointed out that the applicant was willing to donate \$10,000 to the church for them to build a parking lot. Ms. Murray added that if she was the applicant she would have concern that if you weren't a resident and you were parking on their lot then there could be legal issues. She stated that they shouldn't be mixing the zoning and parking issues together too much.

Mr. Moller asked that if they do approve the motion then what is the process going forward.

Mr. Graves answered that there are two separate issues and one is zoning and the other is administrative work related to helping figure out the on-street parking prohibition and times. He

added that this may not alleviate all of their issues and encouraged the applicant and church to continue to work with one another.

Mr. Driehaus stated that there is motion for approval of the recommendations and asked if there are any amendments.

Mr. Schneider motioned that there be no parking permitted in the west panhandle lot now known as 1523 Gilpin Avenue and that a dense landscape buffer of no less than 20 feet in width be placed along the eastern most edge of the 1523 Gilpin Avenue lot.

Ms. Murray asked the applicant if this amendment was feasible for them.

Mr. Olliges replied yes.

Mr. Driehaus asked for a second to the motion for the amendment.

Mr. vom Hofe seconded the motion for the amendment to the original motion.

Mr. Driehaus conducted a roll call vote of passage of the motion for the amendment. The Planning Commission voted unanimously in support.

Mr. Stallworth motioned to allow more time for the church and the applicant to have further discussions about the parking and reach a mutual agreement by the next Planning Commission meeting which is February 20<sup>th</sup>.

Mr. Schneider seconded this motion.

Mr. Haynes interjected indicating that Mr. Stallworth's motion would not be an amendment to the original motion for approval of the item. Rather this would be a stand alone motion to table the item. The motions should be voted on separately. Mr. Haynes advised that the Planning Commission should deal with the amended motion on the floor or the motion should be withdrawn and then Mr. Stallworth can restate his motion. He added that Mr. Stallworth's motion would mean that the Planning Commission would not take action until the parties come back with a mutual agreement and that this is inconsistent with the vote today to approve the recommendations by staff.

Mr. Stallworth affirmed that his motion meant to table the item.

Mr. Driehaus stated that if they accept Mr. Stallworth's motion then they would withdraw their previous motion.

Mr. Schneider added that he would like to amend the original motion as much as possible so they can vote on this item today.

Mr. Moller stated that they would be amending the original motion on the zoning change and once that is done then they would vote on Mr. Stallworth's motion.



Mr. Driehaus restated that the Planning Commission has put forth a motion and it was seconded. An amendment was offered and seconded and the Planning Commission voted unanimously to support the amendment to the original motion. He asked if they needed to vote again.

Mr. Haynes answered that they need to vote to approve the original motion to approve staff's recommendations which would include the amendment to the motion.

Mr. Driehaus stated that they need to withdraw the amendment proposed by Mr. Stallworth or vote on the amended motion in the first place. He proposed to put the motion forward to vote on and asked for roll call of votes.

Mr. Schneider asked if they were voting on staff's recommendations and the original amendment of the landscape buffer.

Mr. Driehaus replied yes.

All voted yes on staff's recommendations for approval of Item 10 with the amendment for a landscape buffer except for Mr. Stallworth who voted no.

Mr. Driehaus questioned if they can continue discussing the issue of the church and applicant in regards to parking and stated that it is outside the context of the vote they just had. Planning Commission made recommendations to send the zone change and concept plan forward.

Mr. Haynes added that the Planning Commission can ask for the parties to come back. He also stated that the applicant will have to come back anyway in front of Planning Commission to present their Final Development Plan which shows a more detailed analysis of the plan.

Ms. Murray wanted to let Mr. Stallworth know that herself and Mr. Moller will make sure that they look into the parking situation and report back to Planning Commission on the results.

Mr. Stallworth requested that the two parties come back to Planning Commission.

Mr. Driehaus responded that the applicant will be before the Planning Commission again at the Final Development Plan phase.

Mr. Moller asked about Mr. Stallworth's motion that was on the floor that was not voted on.

Mr. Stallworth indicated that he would like to withdraw his motion, but that both parties should cooperate.

Mr. Graves stated that staff will monitor the meeting that will take place on February 19<sup>th</sup>, 2015 in Evanston.

Mr. Schneider asked if they need to motion reconsideration of this item to distinguish that Mr. Stallworth was off the record of motion.

Mr. Haynes indicated that the Planning Commission could confirm approval.

Mr. Driehaus stated that with the withdrawal, he recommends going forward with the next item on the agenda.

**The Commission adopted staff's recommendations for Item 10 with an amendment for no parking to be permitted in the west panhandle lot now known as 1523 Gilpin Avenue and that a dense landscape buffer of no less than 20 feet in width be placed along the eastern most edge of 1523 Gilpin Avenue.**

Ms. Murray made the motion, which Mr. vom Hofe seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Schneider and Mr. Driehaus.

Nay: Mr. Stallworth.

Mr. Briggs presented Item 11, a report and recommendation on a change in zoning from Residential Mixed District (RMX) and Residential Multi-Family (RM-1.2) to Commercial Community Pedestrian (CC-P) at 3527-3573 Reading Road in Avondale. Staff recommended approval.

Mr. vom Hofe asked if the parking northwest of this development is always empty as it appears to be in the aerial photograph. He asked whether or not they considered the idea of shared parking and to consider reducing their on-site parking.

Mr. Graves replied that he wasn't sure when the aerial was taken and that the department would monitor to see what could be done about shared parking. He mentioned that staff could talk to the owners to see if there are any opportunities for shared parking.

Mr. Lou Mitsch, Senior Project Manager with The Community Builders, explained that they are in the process with working on a reciprocal easement agreement and that on Sunday mornings that parking lot to the northwest of their site is full.

Mr. Ken Kreider,, Attorney with KMK, mentions that they will provide shared parking with the chapel.

**The Commission adopted staff's recommendations for Item 11.**

Mr. Schneider made the motion, which Mr. vom Hofe seconded.

Aye: Ms. Murray, Mr. vom Hofe, Mr. Moller, Mr. Stallworth, Mr. Schneider and Mr. Driehaus.

### **Other Business**

Mr. Driehaus stated that Mr. Graves had recommended that there be a retreat for Planning Commission to share information together. Mr. Graves responded that staff will put together a couple of dates and will have a facilitator to lead the discussion.

Mr. Driehaus also mentioned that four the Planning Commission members attended the David J.

Allor Workshop on January 30<sup>th</sup>. He added that one of the things he took away from the workshop was to start conducting the Pledge of Allegiance at Planning Commission.

**Director's Report**

Mr. Graves congratulated Mr. Driehaus on becoming Chair and Mr. Schneider on becoming Vice Chair of the Planning Commission. He also thanked the Planning Commissioners for attending the David J. Allor Workshop on January 30<sup>th</sup>. Lastly, Mr. Graves announced that Jocelyn Gibson, City Planner, was leaving City Planning & Buildings for a job with CBRE.

The meeting adjourned at 11:19 A.M.

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Charles C. Graves, III, Director  
Department of City Planning and Buildings

Date: \_\_\_\_\_

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Daniel Driehaus, Chair  
City Planning Commission

Date: \_\_\_\_\_

**Honorable City Planning Commission  
Cincinnati, Ohio**

**February 20, 2015**

**SUBJECT:**

A report and recommendation on the lease of Goose Alley to Cornerstone Corporation for Shared Equity in Over-the-Rhine.

**GENERAL INFORMATION:**

**Location:** Alley between Green Street (North), W. Liberty Street (South), Republic Street (East), and Race Street (West)

**Purchaser:** Cornerstone Corporation for Shared Equity

**Purchaser's Address:** Cornerstone Corporation for Shared Equity  
1641 Vine Street  
Cincinnati, OH 45202

**BACKGROUND:**

The City is the owner of Goose Alley in Over-the-Rhine. The Alley is bounded by Green Street to the north, West Liberty Street to the south, Race Street to the west, and Republic Street to the east. The property is zoned Residential Multi-Family (RM-1.2). The City intends to lease Goose Alley to the Cornerstone Corporation for Shared Equity, an Ohio non-profit organization, to enhance their operation of the Friar's Court low-income housing project abutting Goose Alley. The Cornerstone Corporation for Shared Equity wishes to gate off the alley in order to prevent criminal activity, litter, or other activities that inhibit a safe and secure environment for the residents and employees, as well as enhancing internal pedestrian circulation.

The City's Department of Transportation and Engineering (DOTE) has determined that the alley is not being used to any significant degree as a vehicular through-street by the general public. The lease would run for a term of five years terminable on 30 days' notice by either party. The fair market rent was determined by the City's Real Estate Division to be approximately \$500 per year for Goose Alley, which the Cornerstone Corporation for Shared Equity has agreed to pay. There are existing utilities in the alley, but the lease stipulates that Greater Cincinnati Water Works, Duke Energy, and Cincinnati Bell will have "continuous, uninhibited access to the leased premises." All abutting property owners have given their written consent to this lease.

**CONSISTENCY WITH PLAN CINCINNATI:**

This project is consistent with the following Initiative Areas of Plan Cincinnati:

- *Live:* "Provide a full spectrum of housing options, and improve housing quality and affordability."
  - "Improve services for homeless population and availability of transitional and permanent supportive housing."
- *Live:* "Support and stabilize our neighborhoods."
  - "Improve safety and cleanliness in all neighborhoods."

**RECOMMENDATION:**

The Staff of the Department of City Planning and Buildings recommends that the City Planning Commission take the following action:

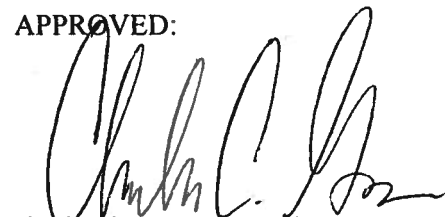
**APPROVE** the lease of Goose Alley to Cornerstone Corporation for Shared Equity in Over-the-Rhine.

Respectfully Submitted,



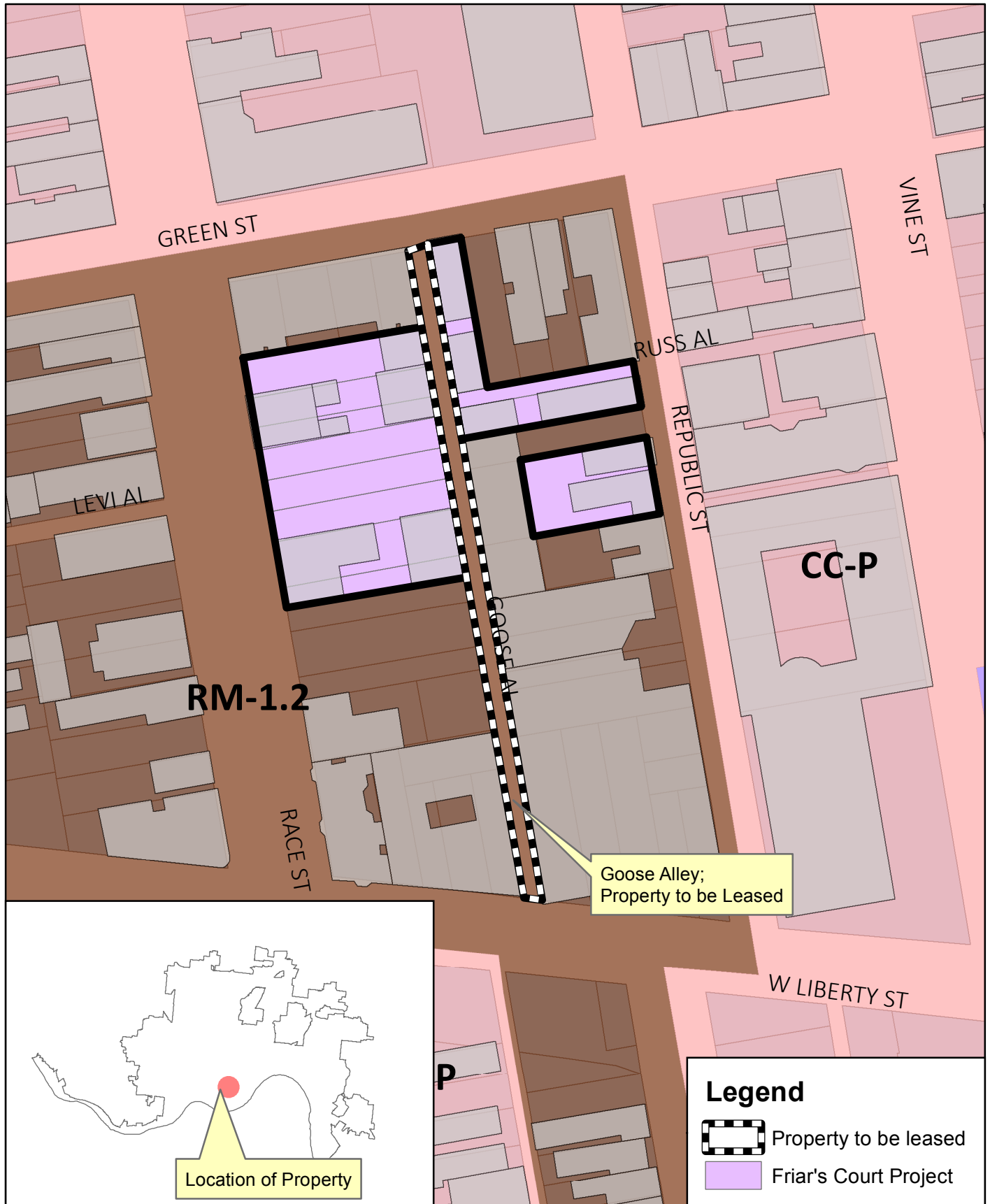
Chris Green, Intern  
Dept. of City Planning and Buildings

APPROVED:



Charles C. Graves III, Director  
Dept. of City Planning and Buildings

# Map of Property to be Leased, Goose Alley



**CPC ITEM # 2**

**Honorable City Planning Commission  
Cincinnati, Ohio**

**February 20, 2015**

**SUBJECT:**

A report and recommendation on the Subdivision Improvement Plan for Grandin Road Subdivision in Hyde Park.

**BACKGROUND:**

The Subdivision Improvement Plan consisting of 9.48 acres was prepared by Evans Engineering and creates 12 residential lots and one lot for a detention basin for a total of 13 lots. The property is currently owned by First National Bank. The Plat of Subdivision has been reviewed and approved by all reviewing agencies.

The proposed subdivision is located south of Grandin Road and just southeast of Edwards Road. The property is zoned SF-20. Two existing homes on the site are to remain, so the subdivision would create 10 new building sites. A Dedication Plat for the proposed new street that will provide access to these lots will need to be approved at a later date, as will a Record Plat to create the lots. The applicant plans to build a private street off the end of the public street to provide vehicular access to the six southern-most lots.

**CONSISTENCY WITH PLAN CINCINNATI:**

The proposed development of the property is consistent with Plan Cincinnati. The subdivision creates 12 new residential lots, all of which are planned to contain owner-occupied housing units. This fulfills one of the goals of the Live Initiative Area, which is to "Provide a full spectrum of housing options, and improve housing quality and affordability."

**RECOMMENDATION:**

The staff of the Department of City Planning and Buildings recommends that the City Planning Commission take the following action:

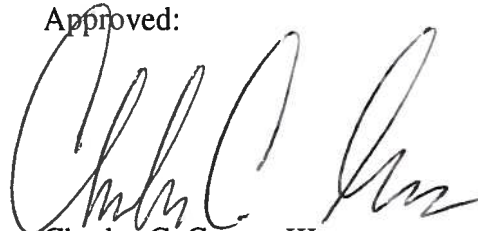
**APPROVE** the Subdivision Improvement Plan for Grandin Road Subdivision in Hyde Park for the reasons that the plans conform to the subdivision regulations and comply with the requirements of all reviewing agencies.

Respectfully submitted:



James Weaver, AICP  
City Planner

Approved:




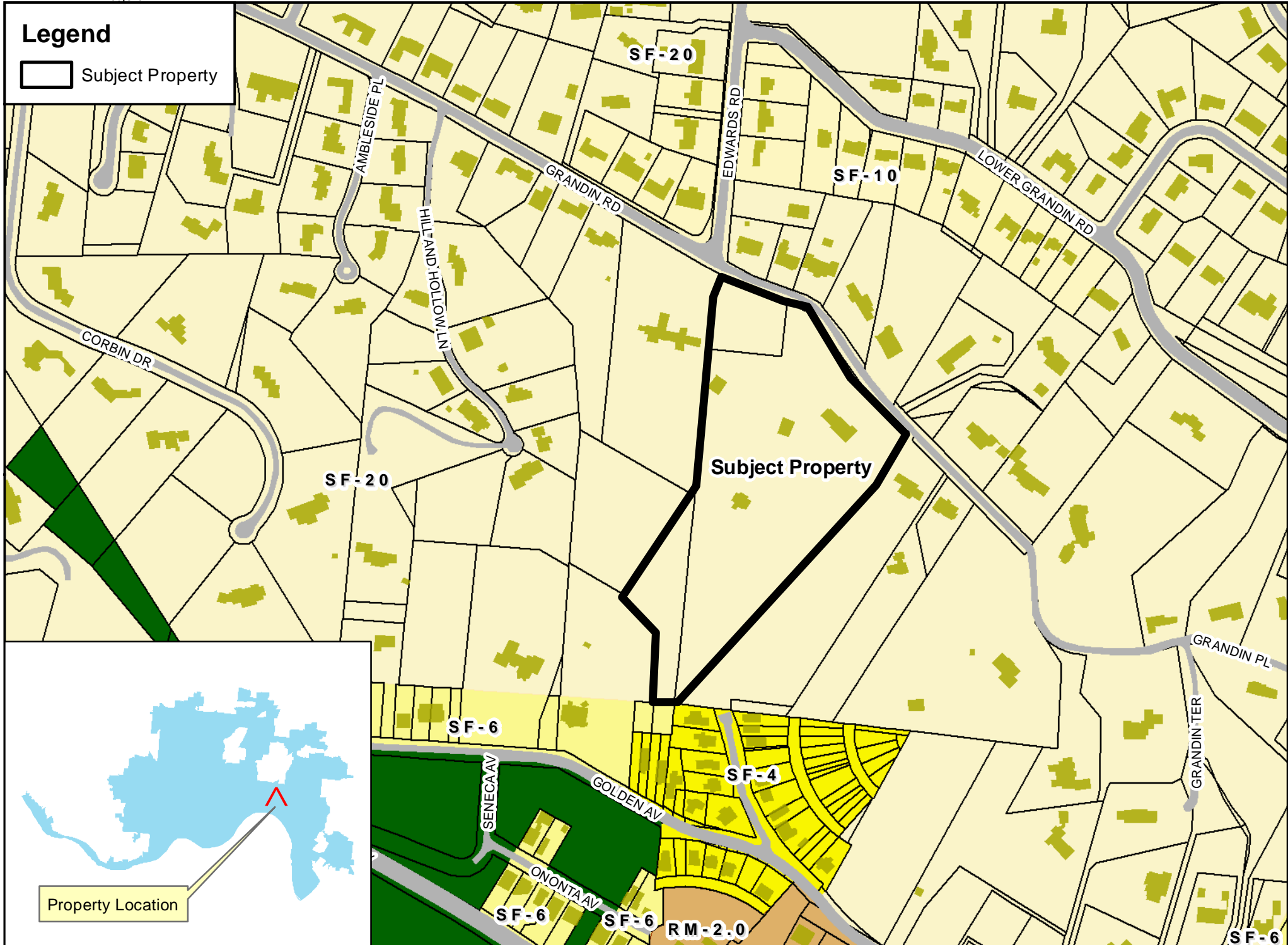
Charles C. Graves III  
Director, Department City Planning and Buildings

# Subdivision Improvement Plan: Grandin Road

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## Legend

 Subject Property

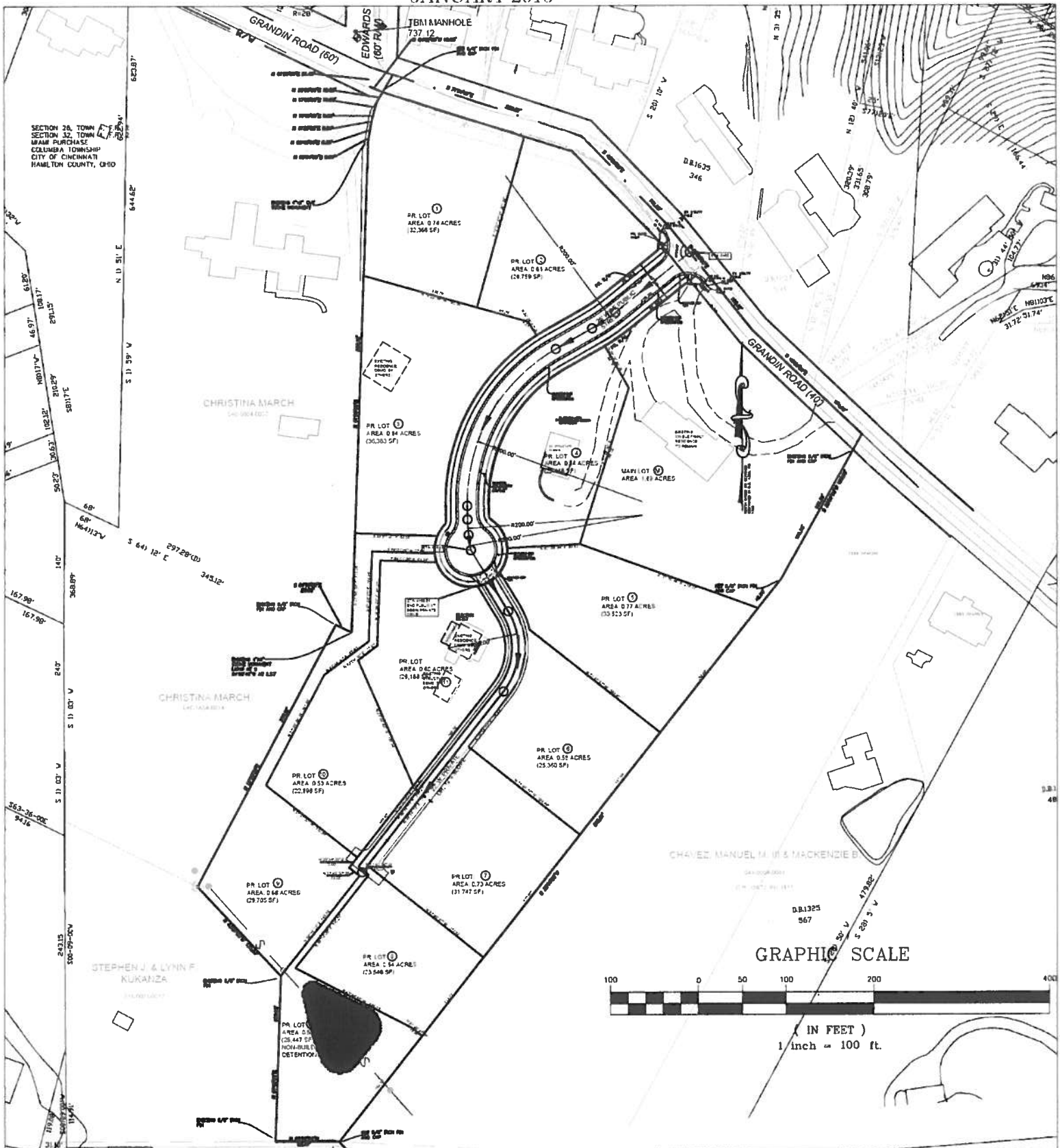


Property Location

# GRANDIN RD. DEVELOPMENT

2581 GRANDIN RD., CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

JANUARY 2015



**OVERALL VIEW**



**Honorable City Planning Commission  
Cincinnati, Ohio**

**February 20, 2015**

**SUBJECT:**

A report and recommendation on a sale of a portion of Ebersole Avenue in Madisonville to abutting owners, Dowdell and Latressa Cobb.

**GENERAL INFORMATION:**

Location: A portion of Ebersole Avenue in Madisonville  
Purchaser: Dowdell C. and Latressa D. Cobb  
Purchaser's Address: 5515 Ebersole Avenue,  
Cincinnati, OH 45227

**BACKGROUND:**

The City owns an unimproved portion of right-of-way known as Ebersole Avenue in Madisonville consisting of approximately 0.1722 acres. The property extends 150 feet northward from Luhn Avenue to the City's corporation line. Dowdell C. and Latressa D. Cobb own the abutting property at 5515 Ebersole Avenue which currently does not have frontage on paved right-of-way. Cobbs intend to construct a gravel driveway on the sale property to provide access from their current property to the improved right-of-way at Luhn Avenue. The property is zoned SF-4 Single-family Residential.

The total fair market value of the Sale Property is \$3,750.00 and has been confirmed by the purchasers.

**CONSISTENCY WITH PLAN CINCINNATI:**

The sale is consistent with the Compete goal of Plan Cincinnati, which is to "foster a climate conducive to growth, investment stability, and opportunity".

**ANALYSIS:**

The sale property is no longer needed for a municipal use and is currently being underutilized. This sale of property could potentially encourage other members of the community make similar investments in the neighborhood.

**RECOMMENDATION:**

The staff of the Department of City Planning and Buildings recommends that the City Planning Commission take the following action:

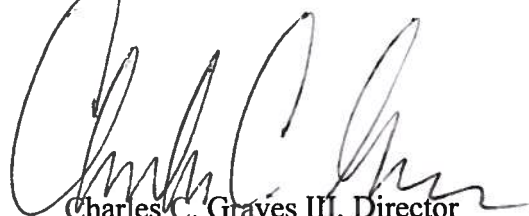
**APPROVE** the sale of a portion of Ebersole Avenue in Madisonville to abutting owners, Dowdell and Latressa Cobb.

Respectfully Submitted,



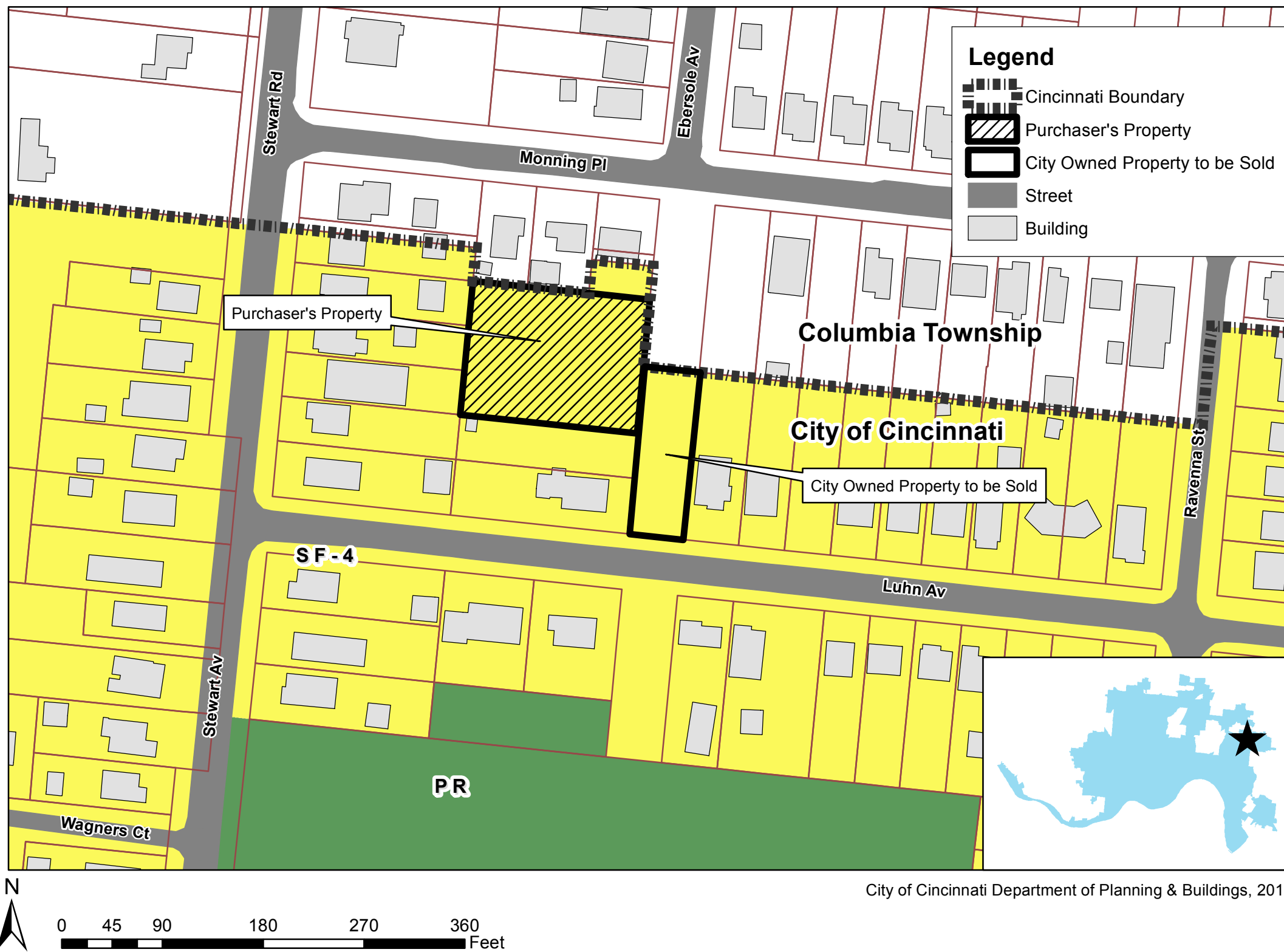
Lawrence Taylor II, Intern  
Dept. of City Planning and Buildings

APPROVED:



Charles C. Graves III, Director  
Dept. of City Planning and Buildings

# Sale of City Owned Property on Ebersole Ave. in Madisonville



**Honorable City Planning Commission  
Cincinnati, Ohio**

**February 20, 2015**

**SUBJECT:**

A report and recommendation on the sale of 1824-1828 Elm Street in Over-the-Rhine to Artichoke, LLC.

**GENERAL INFORMATION:**

Location: 1824 -1828 Elm Street between Findlay Street and Glass Alley  
Purchaser: Artichoke LLC  
Purchaser's Address: Bradley and Karen Hughes  
1435 Pleasant Street  
Cincinnati, OH 45202

**BACKGROUND:**

The City of Cincinnati owns the property located at 1824 Elm Street, which includes a vacant building near Findlay Market in Over-the-Rhine. The City also owns the adjacent vacant building and vacant parcel of land located at 1826 and 1828 Elm Street. All three parcels are zoned Community Commercial-Pedestrian (CC-P).

Artichoke LLC, the developer, submitted a proposal for the redevelopment of 1824 Elm Street to the City to renovate into a mixed use building. The building would contain a retail kitchen store on the ground floor and two residential living units on the second and third floors. The estimated cost of the project is \$792,638. The building at 1826 and 1828 Elm Street will be renovated into a private residence with an adjoining private off-street parking area that will be owned and operated by the developer.

The fair market value of 1824 Elm Street is \$18,500, and the fair market value of the 1826 and 1828 Elm Street is \$21,000. The developer has requested to purchase the 1824 Elm Street for \$1.00 with an option to purchase the 1826 and 1828 Elm Street at fair market value.

**CONSISTENCY WITH PLAN CINCINNATI:**

The sale is consistent with the Compete goal of Plan Cincinnati, which is to "foster a climate conducive to growth, investment stability, and opportunity". The sale could potentially promote investment and encourage development.

**RECOMMENDATION:**

The staff of the Department of City Planning and Buildings recommends that the City Planning Commission take the following action:

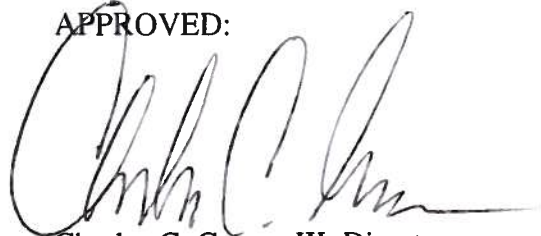
**APPROVE** the sale of 1824-1828 Elm Street in Over-the-Rhine to Artichoke, LLC.

Respectfully Submitted,



Lawrence Taylor II, Intern  
Dept. of City Planning and Buildings

APPROVED:



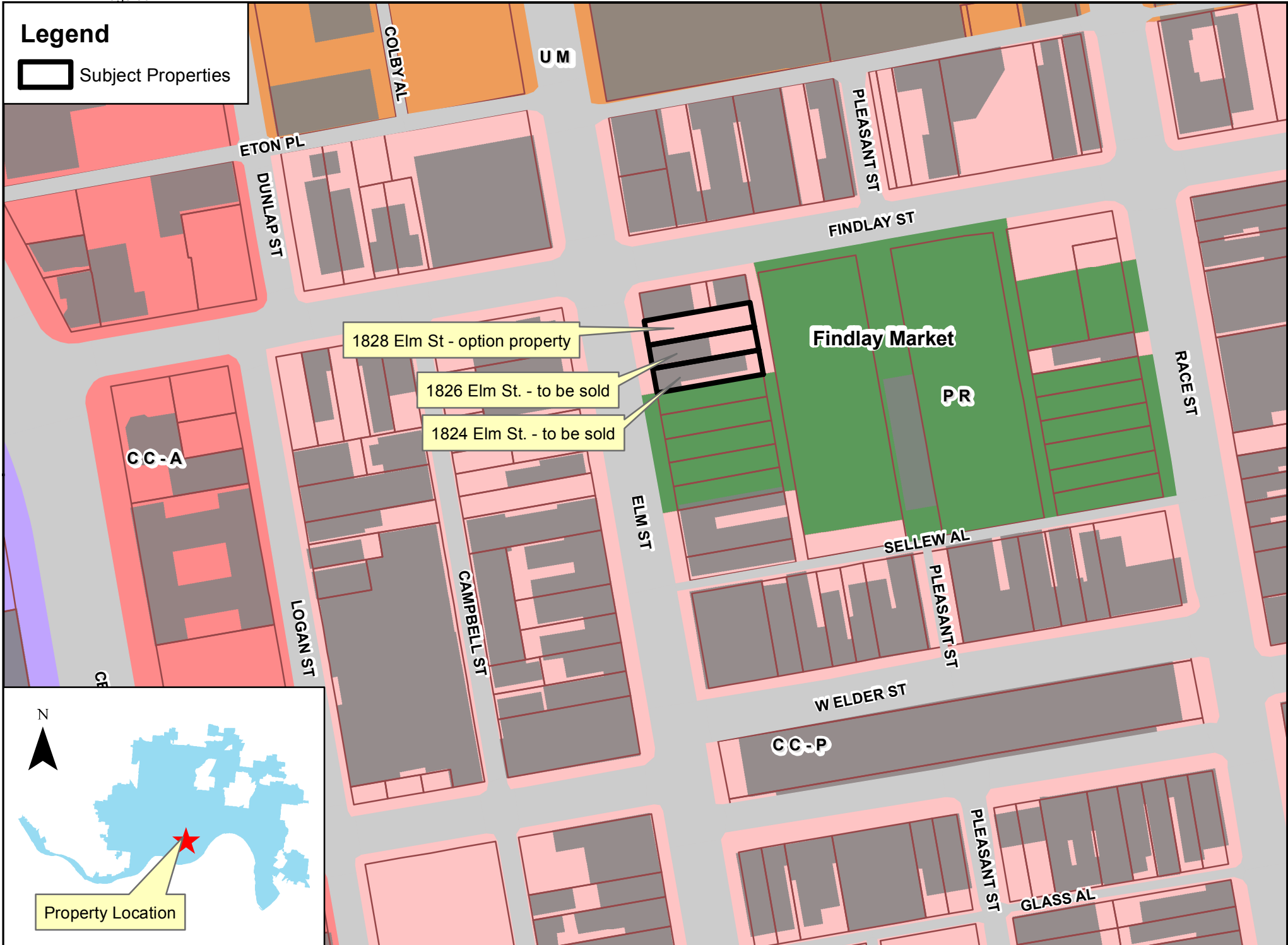
Charles C. Graves III, Director  
Dept. of City Planning and Buildings

# Sale of City Owned Property: 1824-1828 Elm St.

Page 36

## Legend

 Subject Properties



N

Property Location

Honorable City Planning Commission  
Cincinnati, Ohio

February 20, 2015

**SUBJECT:**

A report and recommendation on the sale of City-owned property located at 1610 Pleasant Street in Over-the-Rhine to TI PM, LLC.

**GENERAL INFORMATION:**

Location: 1610 Pleasant Street  
Purchaser: TI PM, LLC  
Purchaser's Address: TI PM, LLC  
3724 East Street  
Cincinnati, OH 45227

**BACKGROUND:**

The subject property is zoned Residential Multi-Family (RM-1.2) and contains two vacant residential structures: a 1300 sq. foot primary structure and an 800 sq. foot rear carriage house. The front and rear structures are on two separate parcels.

The City intends to sell the property to TI PM, LLC who will then renovate the 1300 sq. foot primary structure as a single-family home, and the 800 sq. foot rear carriage house as a rental unit. TI PM, LLC has agreed to purchase the property at fair market value, which is \$4,500 as determined by the City's Real Estate Service Division.

**CONSISTENCY WITH PLAN CINCINNATI:**

The sale is consistent with the Live goal of Plan Cincinnati, which is to "Provide a full spectrum of housing options, and improve housing quality and affordability." The sale is also consistent with the second action step of the Live section of Plan Cincinnati, "Offer housing options of varies sizes and types for residents at all stages of life."

**ANALYSIS:**

The buildings on the property are currently vacant, and after renovation will provide two new, modern housing units in Over-the-Rhine.

**RECOMMENDATION:**

The staff of the Department of City Planning and Buildings recommends that the City Planning Commission take the following action:

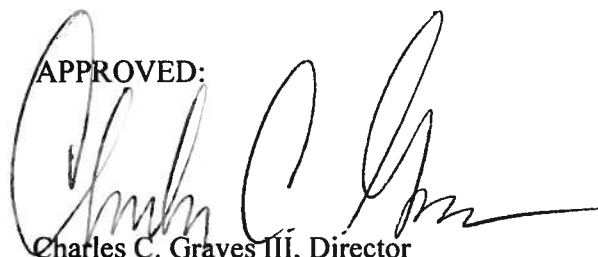
**APPROVE** the sale of City-owned property located at 1610 Pleasant Street in Over-the-Rhine to TI PM, LLC.

Respectfully Submitted,



Chris Green, Intern  
Dept. of City Planning and Buildings

APPROVED:



Charles C. Graves III, Director  
Dept. of City Planning and Buildings

# Map of Property to be sold, Over-the-Rhine

